

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
MISSOULA DIVISION

FILED

OCT 11 2018

Clerk, U S District Court
District Of Montana
Billings

JESSE GOBER,

Plaintiff,

vs.

TYLER JACKSON, and BIG FORK
POST OFFICE,

Defendants.

CV 18-79-M-DLC-JCL


ORDER

United States Magistrate Judge Jeremiah C. Lynch entered his Findings and Recommendations on July 31, 2018, recommending that this action be dismissed without prejudice pursuant to Local Rule 5.2(b) because Plaintiff has failed to inform the Court of his change of address. (Doc. 19 at 2-3.) Plaintiff did not object to the Findings and Recommendations and so has waived the right to de novo review thereof. 28 U.S.C. § 636(b)(1)(C). Absent objection, this Court reviews findings and recommendations for clear error. *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003) (en banc); *Thomas v. Arn*, 474 U.S. 140, 149 (1985). Clear error exists if the Court is left with a “definite and firm conviction that a mistake has been committed.” *United States v. Syrax*, 235 F.3d 422, 427 (9th Cir. 2000) (citations omitted).

The Court finds no clear error in Judge Lynch's determination that this action should be dismissed because Plaintiff has failed to notify the Court of his change of address. Accordingly,

IT IS ORDERED that Judge Lynch's Findings and Recommendations (Doc. 19) are ADOPTED IN FULL and this action is DISMISSED without prejudice pursuant to L. R. 5.2(b).

DATED this 11th day of October, 2018.



Dana L. Christensen, Chief Judge
United States District Court